

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JAMES E. DAVIS AND FRANCOIS KOHLMANN,
INDIVIDUALLY AND ON BEHALF OF ALL
OTHERS SIMILARLY SITUATED

PLAINTIFF

VS.

CAUSE NO. 3:11-CV-093-MPM-SAA

ACA FINANCIAL GUARANTY
CORPORATION, and
JOHN DOES One through Ten

DEFENDANTS

NOTICE OF VOLUNTARY DISMISSAL OF PLAINTIFF
FRANCOIS KOHLMANN WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff Francois Kohlmann hereby notifies this Court and the parties that he voluntarily dismisses without prejudice all his claims against all Defendants. This notice concerns the claims of Plaintiff Francois Kohlmann only and does not concern any other Plaintiffs or claims. Rule 41(a)(1)(A)(i) provides that a notice of dismissal is appropriate for voluntary dismissal “before the opposing party serves either an answer or a motion for summary judgment.” In this case, Defendants have filed neither an answer nor a motion for summary judgment.

Respectfully submitted, this the 17th day of May 2013.

By: /s/JESSE MITCHELL, III
Jesse Mitchell, III (MS Bar No.103020)
Attorney for Plaintiffs

OF COUNSEL:
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CERTIFICATE OF SERVICE

I hereby certify that on May 17, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Respectfully Submitted,

/s/ JESSE MITCHELL, III
JESSE MITCHELL, III (MSB 103020)